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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/346,110	06/30/1999	EUGENE T. WANG	81862.P132	2024

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EXAMINER

EMDADI, KAMRAN

ART UNIT

PAPER NUMBER

2667

DATE MAILED: 08/04/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

mw

Office Action Summary

Application No.

09/346,110

Applicant(s)

WANG ET AL.

Examiner

Kamran Emdadi

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-31 and 33-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-20,31 and 33-44 is/are allowed.
- 6) ☒ Claim(s) 21-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see paper no. 9, filed 5/19/2003, with respect to the rejection(s) of claim(s) 12-20 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn and the claims allowed. However, claims 21-30 upon further consideration, a new ground(s) of rejection is made in view of new found prior art as cited below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 21-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Tabu et al. (US Patent No. 6560219).

- Regarding claim 21, Tabu teaches: a SONET and ATM bus structure where the buses are separate and operable to receive respective SONET and ATM data (Figure 17).
- Regarding claims 22-25, Tabu teaches: conductive traces both major and minor stemming from the major bus structures of ATM and STM (Figure 17).

- Regarding claim 26, Tabu teaches: a clock trace (Figure 14).
- Regarding claims 27 an interface card (Figure 27).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim Rejections - 35 USC § 103

5. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tabu et al. (US Patent No. 6560219) in view of Jones (US Patent No. 6078595).
- Regarding claims 28-31, Tabu teaches: a networking system with an ATM and SONET compatibility for network integration with separate buses for connectivity however, Tabu fails to teach of a switch and processor and adapter. Jones teaches: a backplane system with SONET switch adapter capability and ATM correlation (Figure 1) with an adapter and processor unit card (Figure 4) and a switch card (Figure 7) for SONET and ATM compatibility. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have had the necessary cards for making use of the necessary processes fundamental to a networking backplane system for broadband switching.

Allowable Subject Matter

6. Claims 33-44 are allowed (see paper no. 8).
7. Claims 12-20 and 31 are allowed.
 - The following is a statement of reasons for the indication of allowable subject matter:
Regarding claims 12-20, the prior art teaches: a housing or backplane system for multiple different network card compatibility being operable to be housed in the same interface environment but the references: Jones et al. (US Patent No. 6078595) and Kleyman et al. (US Patent No. 6373837) do not teach the case of having both switch and adapter card interfaces both compatible with ATM and SONET cards directly, further the systems defined to be an ATM or SONET system having a compatibility interchangeable between ATM and SONET is unique in the art and is not taught by any prior art references independently or in combination.
 - Regarding claim 31, the lithographic process for a mask set is not taught by the combination of references, this type of process used in hardware design is employed as an integration effort of logical functionality and the process is not outlined by the cited prior art and is thus allowable.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kamran Emdadi whose telephone number is (703) 305-4899. The examiner can normally be reached between the hours of 8am and 5pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached at (703) 305-4378. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9314 for regular communications. Any inquiry of a general nature or relating to the status

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of this application or proceeding should be directed to the receptionist whose
telephone number is (703) 305-3900.

Kamran Emdadi

07/15/2003



CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

7/16/03